

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

| | | |
|--------------------------------------|---|-----------------------|
| ROBERT DENNIS, | § | |
| Plaintiffs, | § | |
| | § | |
| v. | § | 3:15-CV-2535-D |
| | § | |
| HEAD WARDEN WILLIAMS, et al., | § | |
| Defendants. | § | |

ORDER


After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted.

The court certifies that the appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3)(A). In support of this certification, the court adopts and incorporates by reference the August 31, 2015 findings, conclusions, and recommendation of the magistrate judge. *See Baugh v. Taylor*, 117 F.3d 197, 202 & n. 21 (5th Cir. 1997). Based on the findings, conclusions, and recommendation of the magistrate judge, the court finds that any appeal of this action would present no legal point of arguable merit and would therefore be frivolous. *See Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983).

Plaintiff may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court of the United States Court of Appeals for the Fifth Circuit. *See Baugh*, 117 F.3d at 202. The motion must be filed within 30 days after service of this order and must comply with the other requirements of Fed. R. App. P. 24(a)(5).

SO ORDERED.

September 24, 2015.


SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE